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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HELEN MEIMARIS AS EXECUTRIX AND LEGAL
REPRESENTATIVE OF THE ESTATE OF ALKIVIADES
MEIMARIS and HELEN MEIMARIS,

Plaintiffs,

-against-

JOSEPH E. ROYCE, et al.,

Defendants.

NOTICE OF MOTION
1:18-cv-4363 (GBD)(BCM)

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, dated October 1, 2018, Defendant Tulio Prieto will move this Court before the Honorable George B. Daniels, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, in Courtroom 11A on the 23rd day of October, 2018, at 9:30 a.m., or as soon thereafter as counsel can be heard, for an order granting Defendant Tulio Prieto's Motion to Dismiss pursuant to Federal Rule 12(b)(6) for failure to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rule 6.1, any opposing affidavits and answering memoranda of law shall be served within fourteen days after service of the moving papers, and reply, if any, shall be served within seven days after service of

the answering papers.

DATED: New York, New York
October 1, 2018

Respectfully submitted,
CARDILLO & CORBETT

By: /s/ Tulio R. Prieto
Tulio R. Prieto

TO: Counsel of record, via ECF